

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Olabinjo Osundairo and Abimbola Osundairo, Individually,)	
)	
Plaintiffs,)	Case No. 19 CV 2727
)	
v.)	Judge Kennelly
)	
Mark Geragos, Tina Glandian, and Geragos & Geragos Law Firm,)	Magistrate Judge Schenkier
)	
)	JURY DEMAND
)	
Defendants.)	

**MOTION FOR AN ORDER, IN ACCORDANCE WITH F.R.C.P. 4(C)(3), THAT
SERVICE OF A SUMMONS BE MADE BY A UNITED STATES MARSHAL OR
DEPUTY MARSHAL**

Plaintiffs, Olabinjo Osundairo and Abimbola Osundairo, by and through their attorneys James D. Tunick and Gregory Kulis, hereby move this Honorable Court to enter an order that service of the summons and complaint be made by a United States marshal or deputy marshal, in accordance with F.R.C.P. 4(c)(3) and in support states as follows:

1. This 16 page complaint alleges numerous violations of the torts of defamation and false light, established under the Illinois common law. It is alleged in the complaint that this Court has subject matter jurisdiction because the amount in controversy exceeds \$75,000.00 for each Plaintiff, exclusive of interests and costs, and is between citizens of different states, per 28 U.S.C. §1332(a).
2. The complaint was filed on April 23, 2019. That same day Notices of a Lawsuit and Request for Waivers of Service of a Summons (“Waiver”) were sent via certified mail to Defendants, Mark Geragos (“Mr. Geragos”) and the Geragos & Geragos Law Firm, and to Defendant Tina Glandian (“Ms. Glandian”).
3. The Notices of a Lawsuit and Waiver were received at Geragos & Geragos Los Angeles

office on April 26, 2019, by an individual named Steven Davis. The New York office where Ms. Glandian practices refused to accept the certified mail on more than one occasion.

4. Mr. Gergagos and Ms. Glandian issued a joint public statement about the lawsuit on April 23, 2019 calling the lawsuit “comical”, a “parody”, “ridiculous”, “lawyer driven nonsense”, a “so called lawsuit” and that they look forward to exposing the fraud Plaintiffs’ “attorneys have committed upon the public.”¹
5. Both sides have issued preservation of evidence letters to each other. On April 24, 2019, Plaintiffs sent a preservation of evidence letter to both Mr. Geragos and Ms. Glandian. Ms. Glandian then emailed undersigned counsel with their own preservation of evidence letter on April 25, 2019 signed by Mr. Geragos. Additionally, each side communicated by letters on April 26, 2019 through email exchanges.²
6. Nevertheless, none of the Defendants Mr. Geragos, Ms. Glandian or Geragos & Geragos has agreed to sign the Waiver in accordance with F.R.C.P. 4. Counsel reached out to both Mr. Geragos and Ms. Glandian on Wednesday May 15 2019 again to inquire whether they are planning on executing the respective Waivers. This communication was done through the same email and fax channels that the prior communications to Defendants were accomplished. To date, none of the Defendants have responded to this request in any way.
7. As a result, Plaintiffs seek an enter an order that service be made by a United States marshal or deputy marshal, in accordance with F.R.C.P. 4(c)(3).

¹ A PDF copy of the lawsuit was published in numerous print and on line media outlets,

² Ms. Glandian was also provided with Notice of a Lawsuit and Request for Waiver of Service of a Summons through email.

WHEREFORE, Plaintiffs, Olabinjo Osundairo and Abimbola Osundairo, hereby request that this Court enter an order that service of the summons and complaint be made by a United States marshal or deputy marshal, in accordance with F.R.C.P. 4(c)(3).

Respectfully submitted,

/s/ James D. Tunick

James D. Tunick
Law Office of James D. Tunick
30 N. La Salle St. Suite 2140
Chicago, Il 60602
Tel. (312)759-7626
Fax (312)580-1839

Gregory E. Kulis
Gregory Kulis & Associates
30 N. La Salle St. Suite 2140
Chicago, Il 60602
Tel (312)580-1830
Fax (312)580-1839